

JOURNAL OF THE HOUSE.

Monday, September 20, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, we acknowledge and are grateful to You for our daily material and spiritual blessings. Our daily intention is to serve You and constituents conscientiously, honorably and faithfully. In the process of carrying out our, sometimes burdensome, responsibilities, grant us the gifts of patience when called for, understanding when needed, intellectual and moral courage at critical moments and forgiveness at all times. Teach us to be aware of and alert to the human and spiritual needs of people throughout the Commonwealth.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor — Disapprovals and Reductions in Supplemental Appropriation Bill.

A message from His Excellency the Governor returning with His disapproval of certain items and sections and parts of certain items, and reductions in certain items and sections contained in the engrossed Bill making appropriations for the fiscal year 2004 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 5076] (for message, see House, No. 5081) was filed in the office of the Clerk on Friday, September 17.

Supplemental
Appropriation
Bill,
vetoes and
reductions.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Message from the Governor — Supplemental Appropriation Bill Returned with Recommendations of Amendments.

A message from His Excellency the Governor returning with recommendations of amendments Sections 30, 40, 109, 123 and 169 (printed as House, Nos. 5083 to 5087, inclusive) contained in the engrossed Bill making appropriations for the fiscal year 2004 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 5076] (for message, see House, No. 5082 - Attachments A to E, inclusive) was filed in the office of the Clerk on Friday, September 17.

Supplemental
Appropriation
Bill,
amendments.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the amendments severally were thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendments recommended by the Governor, the subject-matters were referred, in each instance, on motion of Mr. DeLeo of Winthrop, to the committee on Bills in the Third Reading.

Messages from the Governor — Vetoes.

Rockland
Sewer
Commission.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill authorizing the Rockland Sewer Commission to enter into a contract for the disposal of sewage and the Abington/Rockland joint water works to enter into a contract for the supply of water [see House, No. 4988] (for message, see House, No. 5088) was filed in the Office of the Clerk on Thursday, September 16.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

Fair
contracts.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to fair contracts [see House, No. 1383] (for message, see House, No. 5089) was filed in the Office of the Clerk on Friday, September 17.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Joseph
and Ann
Johnson.

Resolutions (filed by Mr. Fagan of Taunton) congratulating Mr. and Mrs. Joseph F. Johnson on the occasion of their fiftieth wedding anniversary;

Alfred
and Vivian
Constanza.

Resolutions (filed by Mr. Finegold of Andover) congratulating Alfred and Vivian Constanza on the occasion of their fiftieth wedding anniversary;

Henry and
Jeannette
Gibbs.

Resolutions (filed by Mr. LeDuc of Marlborough) congratulating Henry and Jeannette Gibbs on the occasion of their fiftieth wedding anniversary;

Ryan
Fahey.

Resolutions (filed by Messrs. O'Brien of Kingston, Straus of Mattapoisett and Howland of Freetown) congratulating Ryan Fahey on receiving the Eagle Award of the Boy Scouts of America; and

John Paul
Feeney, Jr.

Resolutions (filed by Messrs. O'Brien of Kingston and deMacedo of Plymouth) congratulating John Paul Feeney, Jr. on receiving the Eagle Award of the Boy Scouts of America;

Mr. Petrolati of Ludlow, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Hynes of Marshfield, the resolutions (reported by the committee on Bills in

the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Bradley of Hingham, petition (subject to Joint Rule 12) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) for legislation to establish a shipyard improvement district in the town of Hingham.

Hingham
Shipyard.

By Mr. Kennedy of Brockton, petition (subject to Joint Rule 12) of Thomas P. Kennedy for legislation to authorize the Department of Youth Services to establish a sick leave bank for John Fitts, an employee of said department.

John Fitts,
sick leave
bank.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente and other members of the House for legislation to designate a certain overpass in the town of Milford as the Greater Milford Veterans Memorial Overpass.

Milford,
Veterans
Overpass.

By the same member, petition (subject to Joint Rule 12) of Marie J. Parente and other members of the House that a certain overpass in the town of Milford be designated as the Gunnery Sergeant Elia P. Fontecchio Memorial Overpass.

Milford,
Fontecchio
Overpass.

Severally, under Rule 24, to the committee on Rules.

Reports of Committees.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain House documents concerning credit cards, electronic transfers, fees and other related matters (House, No. 3938) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1236) of David M. Nangle relative to electronic branches and electronic fund transfers of certain financial institutions in the Commonwealth,— and recommending that the same be recommitted to the committee on Banks and Banking. Under Rule 42, the report was considered forthwith; and it was accepted.

Electronic
fund
transfers.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Banks and Banking to make an investigation and study of certain House documents concerning bank efficiencies, pawnbrokers and other related matters (House, No. 4835) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1239) of David M. Nangle for legislation to further regulate state chartered banks,— and recommending that the same be recommitted to the committee on Banks and Banking. Under Rule 42, the report was considered forthwith; and it was accepted.

State
chartered
banks.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Noreen Whitaker, an employee of the Department of Fire Services (see House, No. 5065), having been certified by the Clerk to be rightly

Noreen
Whitaker,
sick leave
bank.

and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 5 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bill
enacted.

The engrossed Bill providing for the annual observance of World War II Commemoration Day (see House, No. 1201) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Bills
enacted.

Authorizing the town of Brookline to lease certain town-owned properties for twenty-five years (see House, No. 4164);

Relative to the charter of the city of Pittsfield (see House, No. 5034); and

Providing for a charter of the town of Plymouth (see House, No. 5064);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Lawrence,
charter.

The engrossed Bill relative to the charter of the city of Lawrence (see House, No. 4959, changed and amended) amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, 5057), was considered.

The committee on Bills in the Third Reading then reported recommending that the amendment be considered in the following form:

In section 1 as printed by striking out, in line 26 the word "expired" and inserting in place thereof the word "unexpired".

The report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

House bills

Third
reading
bills.

Relative to the reduction of rank for members of the fire department of the city of Boston (House, No. 4791);

Exempting the position of town hall custodian of the town of Stoneham from the civil service law (House, No. 4803); and

Authorizing the town of Adams to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises to Ericfly, Inc. (House, No. 4984);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The Senate Bill authorizing cities, towns and regional districts to send certain information to registered voters (Senate, No. 2221) was read a second time. Registered
voters,
information.

Pending on ordering the bill to a third reading, Mr. Jones of North Reading and other members of the House moved that it be amended in section 2, in line 17, by inserting after the word "fair" the word "unbiased".

The amendment was adopted; and the bill (Senate, No. 2221, amended) was ordered to a third reading.

Order.

On motion of Mr. Finneran of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M. Next
sitting.

At half past eleven o'clock A.M., on motion of Mr. Rushing of Boston (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.